

# United States Bankruptcy Court

For the NORTHERN District of IOWA

Chapter 7

IN RE:

FORT DODGE CREAMERY COMPANY,

Debtor.

Case No. X88-01550F

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

APR 22 1991

BARBARA A. EVERLY, CLERK

## JUDGMENT

- ☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

- ☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing.

IT IS ORDERED AND ADJUDGED: that the trustee's Motion for Order Approving the Sale of Real Estate to Thomas and Norma Schmoker, filed April 8, 1991, is approved. The trustee shall sell the real estate described hereafter to Thomas and Norma Schmoker for the sum of \$974,000.00 upon the terms and conditions as set forth in trustee's Motion filed April 8, 1991 and the Purchase Agreement dated April 4, 1991 as attached to said Motion.

The Northeast Quarter (NE 1/4) except the part lying North of the railroad right-of-way, the West Half (W 1/2) of the Southeast Quarter (SE 1/4), the Southwest Quarter (SW 1/4), the Northwest Quarter (NW 1/4) except the part lying North of the railroad right-of-way, all in Section Fifteen (15), Township Eighty-nine (89) North, Range Twenty-eight (28), Webster County, Iowa.

IT IS FURTHER ORDERED that the trustee shall convey to Thomas and Norma Schmoker the real estate described herein by duly executed Court Officer Deed and that said conveyance pursuant to this Court's Order of February 22, 1991 shall be free and clear of all liens and encumbrances.



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BARBARA A. EVERLY

Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 4-22-91

By: Larrie McElroy  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

APR 19 1991

BARBARA A. EVERLY, CLERK

IN RE:	)	CHAPTER 7
	)	CASE NO. X-88-01550-F
FORT DODGE CREAMERY COMPANY	)	
	)	
	)	ORDER APPROVING TRUSTEE'S
Debtor.	)	SALE OF REAL ESTATE

On this 19<sup>th</sup> day of April, 1991, this matter comes before the Court upon the trustee's Motion for an Order approving the sale of real estate filed April 8, 1991. The trustee proposes to sell the following described real estate to wit:

The Northeast Quarter (NE 1/4) except the part lying North of the railroad right-of-way, the West Half (W 1/2) of the Southeast Quarter (SE 1/4), the Southwest Quarter (SW 1/4), the Northwest Quarter (NW 1/4) except the part lying North of the railroad right-of-way, all in Section Fifteen (15), Township Eighty-nine (89) North, Range Twenty-eight (28), Webster County, Iowa,

pursuant to the terms and conditions as set forth in the trustee's Motion filed April 8, 1991.

The Court finds that notice of the trustee's Motion for an Order approving the sale of real estate was served upon all creditors and parties in interest as required by the Bankruptcy Code and Rules as shown by the certification of mailing. Further, the Court finds that said notice required that any objections to the trustee's Motion for an Order approving the sale of real estate were to be filed with the Clerk of Bankruptcy Court on or before 4:30 p.m. on April 18, 1991, with a copy of said objection being served on the trustee, and that barring any objections and requests for hearing, parties were notified that an Order would be entered approving the sale pursuant to the terms of the trustee's Motion. Upon review of the file, the Court finds that there have been no timely filed objections to the trustees' Motion and further, that the granting of said Motion would be in the best interest of the estate, and that said Motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the trustee's Motion for Order Approving the Sale of Real Estate described herein to Thomas and Norma Schmoker is approved. Further, the trustee shall sell the real estate described herein to Thomas and Norma Schmoker for the sum of \$974,000.00 upon the terms and conditions as set forth in the trustee's Motion filed April 8, 1991 and the Purchase Agreement dated April 4, 1991 as attached to

said Motion.

IT IS FURTHER ORDERED, that the trustee shall convey to Thomas and Norma Schmoker the real estate described herein by duly executed Court Officer Deed and that said conveyance pursuant to this Court's Order of February 22, 1991 shall be free and clear of all liens and encumbrances.

IT IS SO ORDERED THIS 19<sup>th</sup> APRIL, 1991.



HONORABLE WILLIAM L. EDMONDS  
U.S. BANKRUPTCY JUDGE  
NORTHERN DISTRICT OF IOWA

Order prepared by:

Wesley B. Huisinga  
United States Trustee and  
Successor Chapter 7 Trustee  
Suite 675, The Center  
425 Second Street S.E.  
Cedar Rapids, IA 52401

I certify that on 4/22/91 copies of this  
order and a judgment were used by U. S.  
mail on: *jm*

cc: James H. Cossitt  
Neven Mulholland  
John Hudson  
Timothy Hogan  
James O'Connell  
Kurt Wilke  
Philip S. Deats  
Robert Van Vooren

Michael R. Nelson  
U. S. Attorney  
John Griffith  
Larry S. Eide  
Monty Fisher  
T. J. McDonough  
U. S. Trustee